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*Attorneys for Defendant Samsung Electronics Co., Ltd.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

ASUSTEK COMPUTER INC.,  
ASUS COMPUTER INTERNATIONAL

Plaintiffs,

v.

ROUND ROCK RESEARCH, LLC,  
AMERICAN MEGATRENDS INC.,  
SAMSUNG ELECTRONICS CO., LTD.

Defendants.

Case No. 4:11-cv-6636-CW

**JOINT CASE MANAGEMENT  
STATEMENT**

Date: September 20, 2012

Time: 2:00 PM

Federal Building, 1301 Clay Street,  
Oakland, California

Judge: Hon. Claudia Wilken

Courtroom #2, 4th Floor

Pursuant to Civil L.R. 16-10(d), Plaintiffs ASUSTeK Computer, Inc. and ASUS Computer International (collectively, “ASUS”) and Defendants Round Rock Research (“Round Rock”) and Samsung Electronics Co., Ltd. (“Samsung”) respectfully submit this Joint Case Management Statement reporting progress or changes since the last statement on April 25, 2012. D.I. 42.

**A. Status of the Delaware Litigation**

On June 5, 2012, the Court granted Round Rock’s motion to stay this action pending the Delaware Court’s decision whether to hear the case *Round Rock Research, LLC v. ASUSTeK Computer Inc.*, No. 11-cv-978-RGA (D. Del.), but allowed discovery on personal jurisdiction in the Northern District of California. D.I. 54 at 9-10. In the Delaware case, jurisdictional discovery has been completed and the supplementary briefing regarding personal jurisdiction and/or transfer will be complete on September 14, 2012—the deadline for ASUS to file its supplemental reply brief.

**B. Personal Jurisdiction over Round Rock**

As noted above, on June 5, 2012, the Court authorized jurisdictional discovery to determine whether Round Rock was subject to personal jurisdiction in the Northern District of California. D.I. 54 at 9-10.

***ASUS’ Statement:***

ASUS served Round Rock with jurisdictional discovery on June 29, 2012, including fifteen requests for production, nine interrogatories, and seven deposition topics. On August 2, 2012, in direct violation to the Court’s order (D.I. 54 at 9-10), Round Rock refused to respond to any jurisdictional discovery other than with objections. While simultaneously refusing jurisdictional discovery, Round Rock has refused to submit to personal jurisdiction in this Court. A meet and confer was held on August 10, wherein Round Rock agreed to stipulate to personal jurisdiction for all purposes of this case in order to avoid motion practice by Plaintiffs. Though provided with such a stipulation, Round Rock has refused to sign the stipulation. Plaintiffs anticipate motion practice as a result of Round Rock’s refusal to provide the Court-ordered jurisdictional discovery.

***Round Rock’s Statement:***

The case is currently stayed pending resolution of ASUS’s motion to dismiss or transfer in the first-filed Delaware action. Round Rock will not contest this Court’s specific personal

jurisdiction over Round Rock, for the purposes of this action only, should the Delaware Court grant ASUS's motion to dismiss for lack of personal jurisdiction or otherwise transfer that action to this District. Round Rock disagrees with ASUS's characterization of the parties' August 10 meet-and-confer. During that conversation, Round Rock explained that it was not willing to unconditionally submit to jurisdiction in this District, but would not contest specific jurisdiction for the purposes of this action should the first-filed Delaware action be dismissed or transferred to this Court. Round Rock further explained that because it will not contest specific jurisdiction under those circumstances, there is no reason to take discovery: either the action will proceed in the Delaware Court or it will proceed in this Court. Accordingly, there is no live jurisdictional issue before the Court or between the parties.

ASUS subsequently provided a proposed stipulation regarding this issue to Round Rock, but the proposal did not match the parties' discussion during the meet-and-confer. Therefore, Round Rock declined to agree to ASUS's proposed stipulation.

**C. Samsung's Time To Answer**

On July 31, 2012, the parties stipulated to an extension of time for Samsung to answer or otherwise respond to the complaint until October 9, 2012. D.I. 57.

**D. Alternative Dispute Resolution**

On August 23, 2012, the Court set the deadline for mediation in this case at January 14, 2013. D.I. 61. A mediator has already been appointed. D.I. 62. The parties jointly request that this deadline to conduct the mediation be moved to April 12, 2013, to reflect the fact that mediation will necessarily follow the resolution of jurisdictional disputes and the motion to stay, which remain pending as described above.

DATED: September 13, 2012 PERKINS COIE LLP

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**Attestation**

I, Michael J. Engle, the filer, attest that concurrence from Round Rock Research, LLC's and Samsung Electronics Co., Ltd.'s outside counsel in the filing of the document has been obtained.

By: /s/ Michael J. Engle  
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